



# CITY OF BRUNSWICK

1 W. Potomac Street • Brunswick, Maryland 21716 • (301) 834-7500

## ETHICS COMMISSION STANDARD OPERATING PROCEDURES ETHICS ORDINANCE VIOLATION COMPLAINT Adopted November 16, 2005

### **Legal Authority:**

Article 3. Code of Ethics of the Code of Ordinances

### **Definition:**

A Complaint is a written statement, signed under oath, alleging a violation of the Ethics Ordinance. Any person may file a Complaint. A Complaint must be filed within one year of the alleged violation. In addition, the Ethics Commission may dismiss a Complaint at any time if it determines that the evidence does not support further action.

### **Filing a Complaint:**

1. If a person questions whether an activity, conduct, or action violates the Ethics Law, that person should contact the City Staff Liaison to the Ethics Commission to obtain an Ethics Complaint Form. See Exhibit A. Once the complainant has completed the Ethics Complaint Form, it should be returned to the City Staff Liaison in a sealed envelope marked "Ethics Complaint," either via hand-delivery or first-class mail to City of Brunswick Ethics Commission, City Hall, 1 West Potomac Street, Brunswick, Maryland 21716. The City Staff Liaison shall forward all received Ethics Complaint Forms directly to the Ethics Commission.
2. The Ethics Commission will only consider Ethics Complaint Forms (Exhibit A) that are filled out properly and completely, signed by the complainant, and notarized.

**Process:**

1. After an Ethics Complaint Form is received, the Ethics Commission will make an initial determination as to whether the evidence supports further action. As part of its initial determination, the Ethics Commission may dismiss the Complaint, direct the City Attorney to investigate the allegations to aid the Commission in its initial evaluation of the Complaint, or set a formal hearing on the Complaint. The Ethics Commission shall notify the complainant in writing of its initial determination.
2. At the formal hearing on the Complaint, the complainant and City employee or elected official named in the Complaint shall be given the opportunity to present evidence and cross-examine witnesses.
3. The Commission may issue subpoenas and compel the attendance of witnesses and production of documents.
4. All testimony shall be taken under oath.
5. If the Commission decides after the conclusion of the hearing, after considering the evidence, that no violation of the Ethics Ordinance has occurred, the Complaint shall be dismissed.
6. If the Commission determines that any provision of the Ethics Ordinance has been violated, the Commission will issue a formal written Decision that includes findings of fact and conclusions of law based on the evidence presented.
7. Upon a finding of a violation of the Ethics Ordinance, the Commission may order administrative sanctions or refer the matter to the appropriate civil authority for enforcement.
8. The Ethics Ordinance requires that any proceedings, meetings, hearings, and activities of the Commission and its staff in connection with a Complaint shall be conducted, to the extent possible, in a confidential manner, and subject to the Open Meetings Act.
9. Once a final determination is made by the Commission on a Complaint, the formal Decision of the Commission is available for public inspection and copying.